

January 31, 2008

The Board of Public Works & Safety met at 4:00 p.m. on the above date in the Meeting Room at City Hall Annex with Mayor Tucker presiding and members Askren and Higgins attending. Others attending were Chief Waters; Supt. Givens; Comm. Maynard; Nick Fuelling; Kelly Collins; Len Ashak and Matt Rueffe - Bernardin Lochmueller & Associates; and arriving during the meeting, Attorney Higgins.

Mayor Tucker called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. He added if not, he entertains a motion to waive their reading and to approve the minutes as presented.

Board members Higgins moved the reading of the minutes be waived and they be approved as presented. Seconded by Board member Askren.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker requested action on the claims presented.

Board member Askren moved the claims presented be allowed for payment. Seconded by Board member Higgins.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

*****CLAIMS*****

Mayor Tucker stated, with the Board's permission, he would like to deviate from the Agenda some by taking Legals at the end of the meeting, as they are awaiting the arrival of Attorney Higgins. He suggested they continue with Department Head reports.
Board agreed.

Mayor Tucker stated Chief Beloit is not present today; he is attending the IACP Conference.

Chief Waters reported wind damage to the roof of city hall following Tuesday's storm, and he is in the process of obtaining quotes to get that fixed. He did find out that the city deductible for buildings is \$1000, so that will more than likely be covered by insurance. He then stated the ladder truck is back from being repaired and he is happy to report that too was covered under warranty.

Mayor Tucker replied that is all good news. He then asked if there were any questions ?
There were none.

Comm. Maynard stated in reference to the bids at the last meeting on fixing the creek issue at the street department, that work has been completed and Mr. Kuhn will be sending a bill soon. He added they did a good job and he is happy with the results.

Comm. Maynard continued his report by asking permission for himself and Sonny Clark to attend the Purdue Road School March 25-27. He added the schooling is free but they will need the credit card for meals and hotel for three nights.

Board member Askren moved permission to attend and use the city credit card be given.
Seconded by Board member Higgins.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker then asked if Comm. Maynard knew of any wind damage from Tuesday's storm ? Comm. Maynard replied there were several limbs down, significant damage actually; in the areas of Mill, 8th, and glass on 7th Street. He added the street light at Walnut and 4th was also knocked out.

Mayor Tucker stated he heard good comments about the Street Department's quick response. He then asked if there were any questions ?

There were none.

Supt. Givens stated the night of the storm, Supt. Moss called and told him that Pump #1 was having some issues with the control board. He added he was not going to mess with that himself, as it was very complicated, but he called someone in and it is now running perfectly. He added the plant is looking very good and everything is running well. He then stated the work on the alley behind 6th and Canal (Harris) is getting closer to being done, as he has the proposal which now needs signed and returned to Mr. O'Risky, who will be performing the work. He added Attorney Higgins said the city still need to do their committed work in the alley, but he feel that the O'Risky quote is the best way to go.

Board member Higgins moved the proposal be signed and the work proceed. Seconded by Board member Askren.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Supt. Givens cited the lift station on Smith Road that the city took over about 10 years ago – there really have been no issues there, but now the pump has burned up. He added that pump is smaller than their regular pumps but he needs to pull it and have it fixed. He also stated the Davis pump (actually a manhole with a small sump pump in it) has had problems this week and he would like to get quotes on getting a back up pump for it.

Board member Askren moved Supt. Givens use his best judgment on the Smith Road pump, replace or repair it; and proceed with the back pump purchase for the Davis issue. Seconded by Board member Higgins.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Supt. Givens concluded his report by asking if the Board members had any questions on his year-end report ?

Board member Higgins replied she has not made it all the way through it yet.

Board member Askren replied that she hasn't looked at it at all yet.

Mayor Tucker asked if there were any questions ?

There were none.

Mayor Tucker stated in the Audience are Kelly Collins and Nick Fuelling.

Mr. Collins stated he wanted to let the Board know they did come up with insurance for their event, and they are going to need additional help on April 13th concerning barricades, etc. He added he asked if they would be able to get in touch with department heads if they find they need anything else ?

Mr. Fuelling questioned trash pick up ?

Comm. Maynard replied he will bring down some barrels and would be more than happy to do so.

Mayor Tucker stated the closer they get to the event, Mr. Fuelling needs to get with Comm. Maynard and Chief Beloit on placement of the barricades, traffic flow, etc. and wondered if Chief Waters would be able to wash the streets down before the event, if they aren't too busy. Chief Waters replied that shouldn't be a problem, hopefully the crowds will have left town by then.

Supt. Givens added that if they are going to have port-a-pots at the event and they need emptied, they just need to get in touch with the sewer department and they will be happy to take care of that.

Mayor Tucker asked if there were any questions ?

There were none.

Mr. Collins and Mr. Fuelling left the meeting.

Mayor Tucker asked if there was any Old Business ?

There was none.

Mayor Tucker stated under New Business, he received a letter from the Posey County Historical Society requesting the use of the City Hall Annex basement to store some of their records in until they find a permanent "home". He added the building is open regular business hours and the basement is not open to the public.

Board member Higgins stated the society would really appreciate it and they were wondering about using the Alert room, as it does have a door and a lock. She understands the basement is prone to flooding, but if they kept things up off the floor and away from the walls, they may be alright.

Chief Waters stated the most secure place from the water would be up high on the landing.

Board member Askren questioned the area above the police and fire station ?

Chief Waters replied they have the same problem there that City Hall Annex has here, weight issues on the ceiling, and they really have no room. He stated there are records up there as well as the police evidence area.

Board member Higgins suggested they table any decision on this for now until she talk it over with other members of the society.

Board member Askren moved permission to use the basement be given, if the society so chooses and feels it is acceptable. Seconded by Mayor Tucker, who then stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Comm. Maynard and Chief Waters left the meeting.

Mayor Tucker stated on the Legal portion of the Agenda is the new lease documentation for the sewer camera truck.

Clerk-Treasurer Wolfe added this was forwarded to her via email earlier in the week and she believes Attorney Higgins was emailed it as well.

Board member Askren moved the lease be accepted, approved, and signed. Seconded by Board member Higgins.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker stated next to make presentation is Mr. Rueffe and Mr. Ashak with Bernardin Lochmueller.

Mr. Rueffe stated BLA put together the city's original LTCP (long term control plan) under the direction of then Mayor Higgins, and it was finished in 2003. He added since Mayor Tucker took office, he contacted them again to look at some issues with the LTCP and see if there were any areas in which the city could save money, as this is going to be a big financial burden on the city. He then stated Mount Vernon is not unique in this situation, IDEM has demands and deadlines and they really don't care how cities get the work done or how they find to pay for it. He added there may be some alternatives, at least based upon their reviews, maybe significant savings actually. He reminded the Board the city has an agreed order that at this time is on file as a judicial agreement. He stated the city has three CSO's remaining, with one being at the head works at the sewer plant, but the most significant at Sawmill, directly above the drinking water intake.

Mr. Ashak stated back in 2004 the State started enforcement action with the city on the Country Club Estates issues and E & S Housing problems. He stated it was at that time that the EAP got involved, mainly because Mount Vernon sits on the Ohio River and they are really getting involved with the towns on the Ohio River. He continued by stating the Sawmill CSO (004) has been judged by federal regulations, to be a sensitive area – which means it now needs to be relocated, treated, or eliminated. He stated their current agreed order needs amended since it lists that to be fixed by March 2008, which is not going to happen. He added that CSO now needs to be eliminated or the city may start to face some hefty fines. He stated that even if the agreed order gets amended, the city will still have two CSO's to deal with concerning residual overflows. He added they really have two options at this point – separate Sawmill or get it out of there and move it. Ultimately, whatever the Board decides, it will be up to Supt. Givens to take care of this.

BLA presented the Board with the following:

INSERT A

Attorney Higgins arrived at the meeting.

Mr. Rueffe stated they are trying to provide to the city cost effective measures versus their options at this point. He continued by stating Sawmill will not be eliminated by March 2008. He then presented the following Compensation issues:

INSERT B

Mr. Rueffe asked if there were any questions ? He stated again, BLA was asked to research this by Mayor Tucker, Attorney Higgins, and Supt. Givens.

Mr. Ashak stated the completion date of December 2009 will not change, IDEM wants those overflows eliminated, period, regardless of what it costs the city.

Mayor Tucker stated he believes February 13 IDEM is coming down for a meeting.

Mr. Ashak stated they city is looking at spending \$13.8M on this plan over the next 15 years, a major investment.

Mayor Tucker asked if there was an initial fee to sign back on with BLA ? He then wondered if BLA can use any of the work that was previously done by Wessler, as he doesn't want to pay for double work.

Mr. Ashak replied they are asking for all of Wessler's work to avoid just that.

Mayor Tucker stated he believes the city is paid up pretty much with Wessler.

Supt. Givens stated the LTCP consists of three projects and Wessler was doing them in phases and for phase 1, the city has paid \$154,752.50. He added if they are allowed to complete phase 1, the city will have paid \$655,000.00. But, if the city decides to go with a different firm, Wessler will turn in all of their work and charge the city \$25,000.00. If Wessler is permitted to finish the entire project, the city will end up paying \$1.1M. He concluded by stating to fix the Mill Creek Lift Station and eliminate the Sawmill CSO will cost \$5M.

Mayor Tucker added BLA is no stranger to Mount Vernon they are very familiar with the city and with Supts. Givens and Waller while he was still actively at work. He stated his main goal here is to save money, though it may cost them some initially to get BLA signed on, they could really end up saving in the long run. Ultimately he stated, what matters is what is best for the residents of Mount Vernon; and they need to be sure they can use Wessler's material.

Attorney Higgins stated she needs to further review the BLA agreement, then notice needs to be given to Wessler, at which time they can then sign on with BLA. She added it will be much cleaner to term Wessler and then start with BLA, rather than split the projects up.

Supt. Givens asked if they should see the amount of savings they can expect before they move forward, and wondered what that savings would amount to ?

Mr. Ashak replied the construction cost is one area in which the city will save, it will be less than the \$500,000 left under the Wessler agreement.

Attorney Higgins added that is if they stay with the same type of plan, then the engineering fees will not go any higher, could actually be lower, if the plan changes to a more simplified plan.

Board member Askren moved Attorney Higgins be authorized to give Wessler notice, and once that is received, look over the BLA proposal and once approved, authorize Mayor Tucker to sign. Seconded by Board member Higgins.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously.

Mayor Tucker stated if there were no further business, he entertains a motion to adjourn.

Board member Askren moved the meeting be adjourned. Seconded by Board member Higgins.

Mayor Tucker stated all those in favor of the motion should signify in the affirmative; and following the vote, he reported the motion carried unanimously and adjourned the meeting.

John Tucker
Mayor

ATTEST:

Cristi L. Wolfe
Clerk-Treasurer